

**MINUTES  
COLUMBUS PLAN COMMISSION MEETING  
DECEMBER 8, 2010 AT 4:00 P.M.  
MEETING HALL, CITY HALL  
123 WASHINGTON STREET  
COLUMBUS, INDIANA**

**Members Present:** Roger Lang, (Vice President), Brian Russell, Steve Ruble, John Hatter, Ann DeVore, Dave Fisher, Dick Gaynor, Dennis Crider and Tom Finke (Bartholomew County Liaison).

**Members Absent:** Bryan Haza, Tom Wetherald and Dave Bonnell.

**Staff Present:** Jeff Bergman, Laura Thayer, Heather Pope, Thom Weintraut, Sondra Bohn, Rae-Leigh Stark, Derek Naber, and Alan Whitted (Deputy City Attorney).

**CONSENT AGENDA**

Minutes of the November 10, 2010 meeting.

Motion: Ms. Devore made a motion to approve the minutes. Mr. Gaynor seconded the motion and it carried with a vote of 8-0.

**MP-10-11: Sword Minor Subdivision Replat** – a request by Joyce Thayer Sword to create 1 new lot and 1 agriculture tract for a total of 3 lots and an agriculture tract equaling 193.88 acres. The property is located at 3300 Crossing Lane in Columbus Township.

Mr. Bergman presented the background information on this item.

Mr. Bergman stated that originally this was forwarded to the Plan Commission to allow the applicant to request relief from installing sidewalks along all street frontages of a new lot.

Mr. Bergman stated that in addressing some of the comments from the Plat Committee review, the configuration of the subdivision changed and the sidewalk modification was no longer required. He stated the revisions removed that from being an issue and the plat does comply with the Subdivision Control Ordinance. He stated staff would recommend approval.

Mr. Lang inquired if anyone in the audience was there to speak on this item.

There was no one to speak for or against this request.

Motion: Mr. Crider made a motion to approve this request. Mr. Hatter seconded the motion and it carried with a vote of 8-0.

## **OLD BUSINESS REQUIRING COMMISSION ACTION**

None

## **NEW BUSINESS REQUIRING COMMISSION ACTION**

**ANX-10-02: Columbus Redevelopment Commission and Columbus City Utilities** – a request by the Columbus Redevelopment Commission and Columbus City Utilities to annex to the City of Columbus a 50.21 acre area. The area is located southeast of the intersection of Water Street and Lafayette Street, and south of the Louisville and Indiana Railroad, in Columbus Township.

**RZ-10-07: Columbus Redevelopment Commission** – a request by the Columbus Redevelopment Commission to rezone a 40.29 acre property from CC (Community Commercial) and AP (Agriculture Preferred) to P (Public / Semi Public Facilities), for the purpose of constructing an outdoor sports complex. The property is located southeast of the intersection of Water Street and Lafayette Street, and south of the Louisville and Indiana Railroad, in the City of Columbus and Columbus Township.

**DP-10-07: Columbus Redevelopment Commission** – a request by the Columbus Redevelopment Commission for site development plan approval for an outdoor sports complex. The property is located southeast of the intersection of Water Street and Lafayette Street, and south of the Louisville and Indiana Railroad, in City of Columbus and Columbus Township.

Ms. Pope presented the background information on these requests.

Mr. Ed Curtin, Director of the Redevelopment Commission represented the petitioners.

Mr. Curtin stated that this project was identified as part of the original Downtown Redevelopment Plan in 2005. He stated it was originally proposed on the west side of town, which was located in the Floodway. Mr. Curtin stated that in discussions with DNR they were adamant that the sports complex would not be allowed in that location.

Mr. Curtin stated that where the outdoor sports complex is now proposed is in the floodway fringe. He stated that they have had extensive conversations with the Corps of Engineers and DNR at the regarding the site. He stated they would be able to get enough fill dirt from a borrow site on State Road 46 West to raise the new proposed outdoor sports complex up above the 100-year flood level. He stated they were able to stay completely in the floodway fringe.

Mr. Curtin stated with the borrow site they would be able to create a water retention storage area that could offset any flood water storage capacity that was lost of the sports complex site.

Mr. Curtin stated they have been working with the City Council, Parks Department, the School Corporation and Redevelopment Commission to seek funding for this project. He stated it was an important Economic Development project for the City. Mr. Curtin stated that sports tourism was a big part of Columbus and with this particular project the estimated revenue is approximately (inaudible) annually.

Mr. Curtin stated that the school corporation has lost a ball field with the expansion of

Columbus North and they are trying to pool all of the community resources to create ball diamonds that support both Columbus North and the Downtown Plan.

Mr. Curtin stated they are asking for three different approvals at this meeting, the annexation, the rezoning and approval of the site plan for the Outdoor Sports Complex.

Mr. Gaynor asked who would be in charge of the primary maintenance for the Sports Complex. Mr. Curtin stated it would be the Parks and Recreation Department. Mr. Curtin stated that high school baseball season starts in March and lasts through the end of June. He stated that BCSC would also help with the costs of the upkeep.

Mr. Ruble stated that there would need to be roadway improvements and could this be attached as a condition of the rezoning. Mr. Ruble stated it has been identified that there are some portions of the proposed roadway where there is question about ownership. Mr. Ruble asked if there was any information that would clarify the ownership in question.

Mr. Curtin stated that the City of Columbus and the City Utilities own the property and they will be able to create adequate street improvements. He stated the railroad does own a portion of the property. Mr. Curtin stated they will have to work with the railroad to resolve that issue. He stated it could become part of the site plan review.

Mr. Ruble asked when the road improvements should be addressed

Mr. Bergman stated there are three requests for the development and each of them have their own process and considerations for the Plan Commission. He stated the annexation is a discussion of whether this is a logical and appropriate piece of the City. Mr. Bergman stated that road improvements could be addressed when the rezoning was discussed or when the site plan is reviewed. He stated the Plan Commission has the authority to modify the minimum requirements that are in the Zoning Ordinance and add additional requirements that they may deem appropriate to the site plan.

Mr. Curtin stated that Lafayette Street would be the preferred entrance to the site and they would also look at Water Street with the connection right off Second Street Bridge. He stated this could be a backup plan if there is an issue with the railroad and property owners.

Mr. Bergman asked if an inability to complete the improvements that are shown on the Johnson and the Whipker properties would affect the ability to not only improve Water Street, but also Lafayette Street. Mr. Curtin stated they would need time to talk with both property owners. He stated that this could be an issue and they would need only 30 feet total to get an appropriate street through that area.

Mr. Lang asked if there has been conversation on the floodplain issues with the State and FEMA.

Mr. Curtin stated the property insurance had not been discussed, but there have been constant conversations with DNR, the Corps of Engineers and the different state agencies regarding both sites that have been considered. He stated that all the feedback that they have received was positive and this project could be done at this site. Mr. Curtin stated all of the information has been submitted for DNR approval on October 6, 2010 and they are waiting for the proper permits to extract fill dirt from the borrow site.

Mr. Curtin stated that this project is in the floodway fringe and there is no floodway going through this property. He stated no development is planned for the floodway property in this area. He stated a large amount of storage for water will be created at the borrow site on the west part of town where the dirt will be taken and used for fill at the Sports Complex site.

Mr. Ruble stated that this fill in the floodway fringe would not change any of the flood maps.

Mr. Gaynor if the former creosote plant site was part of this property. Mr. Curtin stated no..

Mr. Lang opened the meeting to the public.

Mr. Alan S. Townsend, Attorney with Bose, McKinney & Evans, Chris Griffin, and Marty Griffin, represented Griffin Industries, Inc.

Mr. Townsend stated that Griffin is in the recycling business and is located next to the proposed Outdoor Sports Complex. He stated they were not opposed to the project; however they are concerned that neither that Columbus Redevelopment Commission nor the City has evaluated the impact of the proposed facility would have on Griffin.

Mr. Townsend stated their main concern is that the development will significantly increase flooding problems at Griffin's facility. He stated that Griffin was a victim of the 2008 flood and had suffered tremendous loss at that time. Mr. Townsend stated that Griffin wanted to be in this area and was happy with their current location. He stated permits were difficult to obtain for the rebuilding after the flood and especially for an expansion of the office, which was denied by the BZA. Mr. Townsend stated that the City's position was there was no expansion in the floodway, which is where Griffin Inc. is located.

Mr. Townsend stated that Griffin is concerned that the proposed facility will lead to unwanted visitors and trespassers. He stated it was important for the City of Columbus to develop an appropriate plan for securing Griffin's Columbus Facility that will effectively protect it from unwanted encroachments.

Mr. Townsend stated that it was important to search for additional information and consider the ramifications associated with the proposed development in this area and how it will affect Griffin's facility. He asked that the Plan Commission table the annexation, the rezoning and the site plan until Griffin's concerns are properly and fully addressed.

Mr. Griffin stated that when they went through the process of rebuilding after the flood in 2008 many issues were addressed according to the Comprehensive Plan. He stated the land use plan where Griffin is located is in the same area where the Sports Complex is. He stated the planning principals state that agriculture use should continue to be the dominant use in this area.

Mr. Griffin expressed concern about the fill dirt and how that would affect the surrounding properties if it flooded. He asked what the change in elevation would do to properties like Griffin. Mr. Griffin stated that their business was devastated in the flood of 2008 and it has been a challenge to build it back.

Mr. (inaudible) stated by the time he got there during the flood of 2008 they were trying to evacuate people from the plant to higher ground by using a front-end loader. He stated the business was flooded and it had a significant impact on the site.

Mr. Griffin asked if there were plans to develop the south end of the property. Mr. Curtin stated they did not have plans for anything at this time, as it is in the floodway. Mr. Griffin stated if there were any plans for this Sports Complex to expand, then it should be located at another site where there was no floodway.

Mr. Griffin submitted a map of the area to the members of the Plan Commission for their review.

Mr. Max Lemley stated he agreed with Griffin and they should be given a chance to have their concerns addressed.

Mr. Lang closed the meeting to the public.

Mr. Ruble asked for clarification of the different requests that were being considered at this meeting.

Mr. Bergman stated there are a number of issues to consider and there are three choices that the members of the Plan Commission need to make. He stated the first one is the issue of annexation, and the discussion should be is this property an appropriate piece for the City of Columbus to add to the city limits, as opposed to it being in the County. Mr. Bergman stated this is a courtesy review and then a recommendation would be forwarded to the City Council for the ultimate decision.

Mr. Bergman stated that number two is the rezoning and that deals with land use specifically and the land uses relationship between this property and other surrounding properties. He stated the Comprehensive Plan in its entirety addresses this property. Another consideration is the infrastructure, both existing and proposed are appropriate and whether or not development on this property and the uses that are possible in the zoning district that is proposed.

Mr. Bergman stated the site plan is the next layer of detail. He stated in the Public Facilities District, which is what the Redevelopment Commission has proposed for this location, and site plan is subject to Plan Commission review. He stated that would include every detail from landscaping in a parking lot to what types of signs are being permitted.

Mr. Bergman stated the Plan Commission should act on each one separately. He stated staff has addressed several key issues mostly that pertain to the site plan.

Mr. Bergman stated after reviewing the request for the annexation and proximity of the location to the City limits and feedback from other Departments along with the City's annexation criteria, which was adopted by the City Council in 1990, staff would recommend a favorable recommendation be sent to the City Council on this request.

Motion: Mr. Gaynor made a motion to send a favorable recommendation to the City Council for request ANX-10-02. Ms. DeVore seconded the motion and it carried with a vote of 8-0.

Mr. Bergman stated that staff would recommend sending a favorable recommendation to the City Council for the rezoning. He stated with the zoning in place no development could take place until the site plan has been approved.

Motion: Ms. DeVore made a motion to send a favorable recommendation to the City Council for request RZ-10-07. Mr. Gaynor seconded the motion and it carried with a vote of 8-0.

Mr. Russell stated that one important item from the Parks Department's when developing the site plan is the People Trails, which should be accommodated on this site as specified by the Bicycle and Pedestrian Plan.

Mr. Fisher stated it was his opinion that there is not enough information available on the site plan to make a decision on this request. He stated more discussion and information was needed on most of the unresolved items and he would like to see this request continued.

Mr. Lang stated that more information would be helpful on the flooding issues and perhaps a meeting between the Redevelopment Commission and Griffin could be arranged to address some of their concerns.

Mr. Whitted stated it was his opinion that this development in no way is inconsistent with the City's position on development in an area that is located in the flood fringe. He stated the BZA case that was referred to regarding expansion at Griffin was located in the floodway.

Mr. Fisher asked if this should be continued to the January or February 2011 meeting. He stated it would be important to give the petitioners time to respond to all of the concerns that have been presented.

Mr. Curtin stated he could not be prepared to address all of issues by the January 2011 meeting.

Mr. Fisher stated he was very concerned about the last key issues where it seems this is very open ended. It states that the Redevelopment Commission has indicated that actual construction of some of the elements shown on the site plan is uncertain given current budget and property ownership issues. Items currently in question include landscaping, certain sidewalks and street improvements, the maintenance building and the lighting etc.

Mr. Curtin stated they had no control over this and the Board of Works approves what is done on the project.

Mr. Fisher stated the Board of Works needs to present the Commission this information. He stated this statement appears to contain almost every item that is being considered on the site plan review. Mr. Fisher stated it was important that they have some idea of what the project will look like. He stated there is not enough definition or information on this site plan.

Mr. Fisher stated it was his opinion that the sidewalk improvements need to occur when the site is developed. He stated the transportation aspect is also very important, streets need to be improved, and people trails need to be installed or an alternative needs to be provided. He stated that the Parks Department should be involved in this decision.

Mr. Fisher stated he would like to know about the plans for development of the other property and what could happen in light of what has been heard today.

Mr. Ruble asked what should be included on a site plan and what is required of the petitioner.

Mr. Bergman stated in this zoning district the Plan Commission has complete discretion over

the site plan. He stated that the site plan that is approved is exactly what should be constructed on the property. Mr. Bergman stated there are minimum requirements versus other things that might happen on the site. He stated the recently approved Mill Race Center was a good example of what was expected on a site plan.

Mr. Bergman stated there are a couple of issues that need some input from the Commission. He stated that the road improvements would be one of them. He stated there is some degree of variance on this that would have budget implications for the Redevelopment Commission, especially if there is development on the adjacent properties.

Mr. Bergman stated that they would probably be reluctant to construct improvements that would be removed in a couple of months as part of some future construction. He asked if there should be improvements to the railroad crossing, or should they extend to First Street, which is where the conditions change on Lafayette Street.

Mr. Bergman asked if there should be a sidewalk on both sides of Lafayette Street or just on the west side, which would complete the connection to the Sports Complex.

Mr. Crider stated the road improvements are important, especially for the big trucks coming in and out of Griffin Industries. He stated it was his opinion that there would be much foot traffic in that area. Mr. Crider stated more sidewalks should be installed. He stated the Bartholomew County parking lot on Second Street could serve as an overflow parking lot.

Mr. Fisher stated he was in agreement with what Mr. Crider. He stated it was important that this be a walk able area and safety should be an issue.

Mr. Bergman asked about the multi-use path that was proposed through the site by the Bicycle and Pedestrian Plan. He stated the preferred route was to cross under the railroad tracks to the northeast and then bring it across the property. He also asked if this project should be responsible for building the People Trail from one property line to the next or simply leaving an appropriate route for future construction. He stated that would be an important distinction in terms of how this discussion is approached.

Mr. Russell stated there have been several plans over the People Trail system and it is not necessary to build up front. Mr. Russell stated it has taken time and it was his opinion to have an area or an idea of where the people trail should go. He stated it was important to have a plan at this time for the People Trail to cross this property.

Mr. Lang requested that staff give an update on the progress of the issues regarding this request at the January 2011 Plan Commission meeting and the request would be heard again at the February 2011 meeting.

Mr. Curtin stated he would try to have the information ready for the February meeting and work with staff to prepare the updates on this request.

Mr. Bergman stated that staff would recommend continuance of this request to give the petitioners more time to resolve some of the outstanding issues on the site plan.

Motion: Mr. Fisher made a motion to continue this request to the February 9, 2011 Plan Commission meeting to allow more time to address the key issues raised in the December 2010 meeting. Ms. DeVore seconded the motion and it carried with a vote of 8-0.

## **DISCUSSION ITEMS**

### **Appointment of Nominating Committee for 2011 Plan Commission Officers.**

Mr. Ruble and Mr. Hatter were appointed to the Nominating Committee to recommend a slate of names for officers for the Plan Commission in 2011.

## **DIRECTOR'S REPORT**

## **LIASION REPORT**

**ADJOURNMENT: 6:00 p.m.**

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**Roger Lang, Vice President**

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**Steve T. Ruble, Secretary**